

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: Implementation of the Telecommunications Act of 1996, Petition for Rulemaking to Enhance Security and Authentication Standards for Access to Consumer Proprietary Network Information, Notice of Proposed Rulemaking (Jan. 10, 2006).

I am very pleased that we open this rulemaking to address an issue of momentous personal importance to American consumers: the troublesome proliferation of telephone call records being made available on the Internet without customers' knowledge or consent. Last summer, a watchful public interest group, the Electronic Privacy Information Center (EPIC), alerted the FCC to this trend and filed a petition asking us to tighten our rules for protecting consumer call records. We take an important step here by granting EPIC's petition and issuing this Notice of Proposed Rulemaking to find ways to tighten our rules and provide greater security for these sensitive consumer records.

Telephone call records can include some of the most private personal information about an individual. Finding out who people are calling and for how long can be like picking someone's brain about their friends, plans or business dealings. Unauthorized access to call records is a highly invasive intrusion into both the personal and professional lives of consumers. Disclosure of these records is far more than a mere annoyance; indeed, it can lead to tragic consequences.

Congress recognized the sensitivity of this information in the Telecommunications Act of 1996 when it prohibited phone companies from using or disclosing customer proprietary network information without the customer's approval. It charged the Commission with enforcing this privacy protection and the Commission has previously adopted a set of rules designed to ensure that telephone companies have effective safeguards in place.

Telephone companies are required to have firewalls in place to protect consumers' private information but instead these records are blazing all over the Internet, available on numerous web sites even as we issue this Notice. I appreciate the recent efforts of several phone companies to take legal action against data brokers. This is an important step to shutting these data brokers down. Still, the Commission must also take immediate steps to ensure that we have sufficiently strong consumer privacy rules in place and that phone companies are employing effective safeguards to shield this data from harm. So, our efforts here to strengthen our rules are critical and time sensitive. We ask the right questions in this Notice, and I'm glad that we once again seek comment on how to protect consumer privacy as communications migrate to broadband and IP platforms. Our challenge now will be to move quickly to shut the tap on this information drain.

I also support our efforts to bring swift enforcement action against companies that are violating our rules. Even as we look to improve our rules and as Congress considers additional safeguards, we must use our existing authority to quickly address abuses of this private information.